

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MONTY C. PEPPER, )  
 )  
 Plaintiff, )  
 )  
 v. ) Civil Action No. 05-84-JJF  
 )  
 WARDEN THOMAS CAROLL, et al., )  
 )  
 Defendant(s). )

## SUPPLEMENTAL SERVICE ORDER

WHEREAS, Plaintiff filed a Motion To Amend Complaint Under Rule 15 (D.I. 16) seeking to add Officer Bambi Thomas, Officer James Cordell and Officer Thomas Seacord as defendants in place of the Jane and John Doe Defendants;

WHEREAS, pursuant to Federal Rule of Civil Procedure 15(a),  
leave to amend should be freely given when justice so requires;

WHEREAS, Plaintiff has already filed the required 285 Forms  
for each Defendant named in this action;

NOW THEREFORE, IT IS HEREBY ORDERED this 2 day of October  
2005, that:

1. Plaintiff's Motion To Amend Complaint (D.I. 16) is GRANTED. The Clerk of the Court shall add Officer Bambi Thomas, Officer James Cordell and Officer Thomas Seacord as defendants to this action.

2. The Clerk of the Court shall cause a copy of this order to be mailed to the plaintiff.

3. The United States Marshal shall forthwith serve a copy of the complaint (D.I. 2) , the amended complaint (D.I. 7), the second amended complaint (D.I. 16), the Motion For Injunction and/or Summary Judgment (D.I. 8), this order, a "Notice of Lawsuit" form, the filing fee order(s), and a "Return of Waiver" form upon each of the defendants so identified in each 285 form.

4. Within **thirty (30) days** from the date that the "Notice of Lawsuit" and "Return of Waiver" forms are sent, if an executed "Waiver of Service of Summons" form has not been received from a defendant, the United States Marshal shall personally serve said defendant(s) pursuant to Fed. R. Civ. P. 4(c)(2) and said defendant(s) shall be required to bear the cost related to such service, unless good cause is shown for failure to sign and return the waiver.

5. Pursuant to Fed. R. Civ. P. 4(d)(3), a defendant who, before being served with process timely returns a waiver as requested, is required to answer or otherwise respond to the complaint within **sixty (60) days** from the date upon which the complaint (D.I. 2), the amended complaint (D.I. 7), the second amended complaint (D.I. 16), the Motion For Injunction and/or Summary Judgment (D.I. 8), this order, a "Notice of Lawsuit" form, the filing fee order(s), and a "Return of Waiver" form are sent. If a defendant responds by way of a motion, said motion shall be accompanied by a brief or a memorandum of points and

authorities and any supporting affidavits.

6. No communication, including pleadings, briefs, statement of position, etc., will be considered by the Court in this civil action unless the documents reflect proof of service upon the parties or their counsel. The clerk is instructed not to accept any such document unless accompanied by proof of service.

  
UNITED STATES DISTRICT JUDGE